

CLAIM AMENDMENTS

- 1 1. (Original) Avipoxvirus comprising in the viral
2 genome a Vaccinia virus host range gene or a homologue of said host
3 range gene, with the proviso that the host range gene is not the
4 E3L gene if the avipoxvirus is a recombinant canarypoxvirus
5 comprising in the viral genome the Vaccinia virus K3L gene as well
6 as expression cassettes for HIV gag-pro, gp120/TM and a Nef/Pol
7 poly-epitope string, respectively.
- 1 2. (Original) Avipoxvirus according to claim 1, wherein
2 the Vaccinia virus host range gene is a host range gene for human
3 cells.
- 1 3. (Currently amended) Avipoxvirus according to anyone
2 ~~of claims 1 to 2~~ claim 1 or claim 2, wherein the host range gene is
3 selected from the Vaccinia virus genes E3L, C7L and K1L.
- 1 4. (Currently amended) Avipoxvirus according to anyone
2 ~~of claims 1 to 3~~ claim 1, selected from the group consisting of
3 Fowlpoxvirus and Canarypoxvirus.
- 1 5. (Currently amended) Avipoxvirus according to anyone
2 ~~of the claims 1 to 4~~ claim 1 comprising in the viral genome at
3 least one additional heterologous nucleic acid sequence.

1 6. (Original) Avipoxvirus according to claim 5, wherein
2 the additional heterologous nucleic acid sequence is selected from
3 a sequence coding for at least one antigen, antigenic epitope,
4 and/or a therapeutic compound.

1 7. (Currently amended) Pharmaceutical composition
2 comprising the avipox virus according to ~~anyone of claims 1 to 6~~
3 claim 1 and a pharmaceutically acceptable carrier, diluent and/or
4 additive.

1 8. (Currently amended) Vaccine comprising the
2 avipoxvirus according to ~~anyone of claims 1 to 6~~ claim 1.

1 9. (Currently amended) The virus according to ~~anyone of~~
2 ~~claims 1 to 6~~ claim 1, the ~~composition according to claim 7 or the~~
3 ~~vaccine according to claim 8~~ as drug for affecting, preferably
4 inducing, effecting an immunological response in a living animal,
5 including a human.

10. (Canceled)

1 11. (Currently amended) Method for introducing a
2 homologous and/or a heterologous nucleic acid sequence into target
3 cells comprising the infection of the target cells with the virus
4 according to claim 5 or claim 6.

1 12. (Currently amended) Method for producing a
2 peptide, protein and/or virus comprising the steps of infection of
3 a host cell with the virus according to ~~anyone of claims 1 to 6~~
4 claim 1, claim 5 or claim 6, cultivation of the infected host cell
5 under suitable conditions, and isolation and/or enrichment of the
6 peptide and/or protein expressed from the viral genome and/or of
7 the virus produced by said host cell.

1 13. (Currently amended) Method for ~~affecting, preferably~~
2 ~~inducing~~ effecting an immunological response in a living animal
3 body including a human comprising administering the virus according
4 to ~~anyone of the claims 1 to 6, the composition according to claim~~
5 ~~7 or the vaccine according to claim 8~~ claim 1, claim 5 or claim 6
6 to the animal or human to be treated.

1 14. (Original) The method according to claim 13,
2 wherein the animal is immuno compromised.

1 15. (Currently amended) A cell containing the virus
2 according to ~~any of claims 1 to 6~~ claim 1, claim 5 or claim 6.

1 16. (Currently amended) Method for obtaining the avipox
2 virus according to ~~anyone of claims 1 to 6~~ claim 1 comprising the
3 following steps:
4 - introducing an avipox virus genome ~~that optionally comprises in~~
5 ~~the viral genome heterologous nucleic acids as defined in anyone of~~

6 ~~claims 5 to 6~~ and a DNA comprising ~~a host range gene as defined in~~
7 ~~anyone of claims 1 to 3~~ a Vaccinia virus host range gene or a
8 homologue of said host range gene, with the proviso that the host
9 range gene is not the E3L gene if the avipoxvirus is a recombinant
10 canarypoxvirus comprising in the viral genome the Vaccinia virus
11 K3L gene as well as expression cassettes for HIV gag-pro, gp120/TM
12 and a Nef/Pol poly-epitope string, respectively into cells in
13 which the virus is able to reproductively replicate, wherein the
14 DNA is capable to specifically recombine with the genomic DNA of
15 the avipoxvirus-isolating/enriching virus particles comprising the
16 host range gene in the viral genome from these cells.

1 17. Method for obtaining the avipoxvirus according to
2 ~~anyone of claims 5 to 6~~ claim 5 or claim 6, comprising the
3 following steps:
4 - introducing the genome of an avipoxvirus comprising in the viral
5 genome a Vaccinia virus host range gene or a homologue of said host
6 range gene, with the proviso that the host range gene is not the
7 E3L gene if the avipoxvirus is a recombinant canarypoxvirus
8 comprising in the viral genome the Vaccinia virus K3L gene as well
9 as expression cassettes for HIV gag-pro, gp120/TM and a Nef/Pol
10 poly-epitope string, respectively ~~according to anyone of claims 1~~
11 ~~to 4~~ and a DNA comprising the at least one additional heterologous
12 sequence into cells in which the virus is able to reproductively
13 replicate, wherein the DNA is capable to specifically recombine
14 with the genomic DNA of the avipoxvirus

15 - isolating/enriching virus particles comprising the at least one
16 additional heterologous sequence in the viral genome from these
17 cells.

1 18. (Original) Cell, in particular an avian cell,
2 infected with an avipoxvirus and a Vaccinia virus, wherein the
3 Vaccinia virus comprises at least one Vaccinia host range gene or a
4 homologue thereof in the viral genome.

1 19. (Original) Cell, in particular an avian cell,
2 comprising a Vaccinia virus host range gene or a homologue of said
3 host range gene, wherein the host range gene or the homologue of
4 said host range gene is not part of a Vaccinia virus genome, with
5 the proviso that the host range gene is not the E3L gene.

1 20. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 18 to 19~~ claim 18, wherein the host range gene is ~~a host~~
3 ~~range gene as defined in anyone of claims 2 to 3~~ a Vaccinia virus
4 host range gene or a homologue of said host range gene, with the
5 proviso that the host range gene is not the E3L gene if the
6 avipoxvirus is a recombinant canarypoxvirus comprising in the viral
7 genome the Vaccinia virus K3L gene as well as expression cassettes
8 for HIV gag-pro, gp120/TM and a Nef/Pol poly-epitope string,
9 respectively for human cells.

1 21. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 19 to 20~~ claim 20 , wherein the host range gene is
3 integrated in the cellular genome.

1 22. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 19 to 20~~ claim 20, wherein the host range gene is part of a
3 non-integrated DNA.

1 23. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 19 to 22~~ claim 20, infected with an avipoxvirus.

1 24. (Original) Cell according to claim 23, wherein the
2 avipoxvirus is a recombinant avipoxvirus.

1 25. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 23 to 24~~ claim 23, wherein the host range gene or the
3 homologue of said host range gene is not part of the genome of the
4 Avipoxvirus.

1 26. (Currently amended) Cell according to ~~anyone of~~
2 ~~claims 15 and 18 to 25~~ claim 15, wherein the cells allow the
3 reproductive replication of the avipoxvirus.

27. (Canceled)

1 28. (Currently amended) Method for increasing the titer
2 of avipoxviruses by infecting cells as defined in ~~anyone of claims~~
3 ~~19 to 22~~ claim 19, claim 20, claim 21 or claim 22 with said
4 avipoxvirus ~~or by cultivating cells as defined in anyone of claims~~
5 ~~15, 18 and 23 to 25~~, wherein the cells are cells allowing the
6 productive replication of the avipoxvirus.

1 29. (New) Method for increasing the titer of
2 avipoxviruses by cultivating cells as defined in claim 15, wherein
3 the cells are cells allowing the productive replication of the
4 avipoxvirus.

1 30. (New) Method for increasing the titer of
2 avipoxviruses by cultivating cells as defined in claim 18, claim
3 23, claim 24 or claim 25 wherein the cells are cells allowing the
4 productive replication of the avipoxvirus.

1 31. (New) Avipoxvirus according to claim 1 or claim 2,
2 wherein the host range gene is Vaccinia virus gene C7L.